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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/975,902	10/12/2001	Steven L. Fogle	10016278 -1	1158

7590 10/07/2004

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

CAO, CHUN

ART UNIT	PAPER NUMBER
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2115

DATE MAILED: 10/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/975,902	Applicant(s) FOGLE ET AL.	
	Examiner Chun Cao	Art Unit 2115	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAIL ACTION

1. Claims 1-22 are presented for examination.
2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed. The current title is imprecise.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Naito (Naito), U.S. patent no. 5,875,345.

As per claim 1, Naito teaches a method of controlling access to functionality of a computer system [fig. 4], comprising:

entering a powersave mode after a first predetermined activity timeout duration has elapsed during which no user activity is detected, the powersave mode reducing an amount of electrical power consumed by a component of the computer system [col. 3, line 63-col. 4, line 2; col. 4, lines 15-17]; and

entering a lock mode after a second predetermined activity timeout duration has elapsed during which no user activity is detected, following entry into the lock mode, the lock mode restricting use of the computer system until a specified security input is input into the computer system [col. 4, lines 15-23, 44-46; col. 10, lines 7-9];

wherein, following entry into the powersave mode but before the second predetermined activity timeout duration has elapsed, a user action other than the specified security input reactivates the computer system for use from the powersave mode [col. 4, lines 21-23; col. 10, lines 21-24].

As per claim 2, Naito teaches of monitoring operating system message for a message indicative of user activity [col. 9, lines 29-35].

As to claims 3 and 4, inherently, Naito teaches of running a user action timer and resetting the user action timer upon detection of user activity [col. 9, lines 9-11, 61-65].

As per claim 5, Naito teaches of logging a current time for comparison against a subsequent time to derive an elapsed time during which no user activity is detected [fig. 5; col. 9, line 63-col. 10, line 3].

As per claim 6, inherently, Naito teaches of the first activity timeout duration and the lock activity timeout duration are user definable [col. 1, lines 59-60; col. 4, lines 27-30].

As per claim 7, Naito teaches that the powersave mode is a standby mode during which contents of a volatile memory of the computer system remain volatile [col. 1, lines 56-58; col. 2, lines 56-60].

As per claim 8, Naito teaches that second activity timeout duration is greater than the first activity timeout duration [col. 3, line 64-col. 4, line 4; col. 9, lines 63-66].

As to claims 9-15, Naito teaches the claimed method of steps. Therefore, Naito teaches the claimed program embodied in computer readable medium for carrying out the method of steps.

As to claims 16-22, Naito teaches the claimed method of steps. Therefore, Naito teaches the claimed system for carrying out the method of steps.

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hwang, US patent No. 6,121,962 teaches of providing a computer system for requesting input of a password while operating in a powersave mode [figures 4a, 4b].

Kulakowski et al., US patent No. 6,418,535 teaches a power saving method comprises: resetting an activity timer upon detection of user activity [col. 3, lines 53-64].

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Hand-delivered responses should be brought to Crystal Park II, 2121
Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chun Cao at (703) 308-6106 (571-272-3664, effective 10/14/2004). The examiner can normally be reached on Monday-Friday from 7:30 am - 4:00 pm. If attempts to reach the examiner by phone are unsuccessful, the examiner's supervisor Thomas Lee can be reached at (703) 305-9717 (571-272-3667, effective 10/14/2004). The fax number for this Art Unit is following: Official (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 306-5631 (571-272-2100, effective 10/14/2004).

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Chun Cao

Sep. 28, 2004